

REMARKS

Claim 41 has been cancelled. Claims 42-46 are now pending.

Applicant does not believe that any fees are due at this time; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct the fees from Howrey Simon Arnold & White, LLP Deposit Account No. 01-2508/11899.0155.DVUS02/BNT.

Restriction requirement

The Examiner required restriction under 35 U.S.C. § 121 to:

Group I: Claim 41 directed towards a modified threonine deaminase protein; or

Group II: Claims 42-46 directed towards an isolated nucleic acid sequence, a vector, a host or plant cell, and a method of preparing recombinant host cells.

Applicant elects to continue prosecution of Group II, claims 42-46 in this application. Non-elected claim 41 has been cancelled from this application. Applicant may prosecute the non-elected claim in one or more related patent applications.

The Examiner is encouraged to call the undersigned should any further action be required for allowance.

Respectfully submitted,



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